

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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ROBERT SANGO,

Plaintiff,

Case No. 2:15-CV-136

v.

HON. GORDON J. QUIST

JAMES LECLAIRE, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On January 25, 2016, Plaintiff filed a motion for summary judgment. In support of his motion, Plaintiff provided several declarations, including one from another inmate who stated that Defendant Bastian had asked the inmate to stab Plaintiff. Because Defendant Bastian failed to respond to Plaintiff's motion, the Court issued an order for Bastian to show cause why the Court should not grant Plaintiff's motion for summary judgment. Bastian filed a response to that Order.

It appears that Plaintiff never served his motion for summary judgment on Defendants, as they had not yet filed waivers of service of the complaint when Plaintiff filed his motion. Although the Court could deny Plaintiff's motion on those grounds, the Court will address the motion's merits.

A plaintiff alleging a retaliation claim must demonstrate that "(1) the plaintiff engaged in protected conduct; (2) an adverse action was taken against the plaintiff that would deter a person of ordinary firmness from continuing to engage in that conduct; and (3) there is a causal connection between elements one and two—that is, the adverse action was motivated at least in part by the plaintiff's protected conduct." *Thaddeus-X v. Blatter*, 175 F.3d 378, 394 (6th Cir. 1999). In this case, Plaintiff has failed to provide sufficient evidence of the third element of his retaliation claim—namely that

Bastian's actions were motivated by Plaintiff's protected conduct. Although Plaintiff alleges as much, his allegations are insufficient to meet his burden at the summary judgment stage.

Therefore,

**IT IS HEREBY ORDERED** that Report and Recommendation issued on April 27, 2016 (ECF No. 17) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment (ECF No. 7) is **DENIED**.

**IT IS FURTHER ORDERED** that Defendant's Motion to Revoke Plaintiff's In Forma Pauperis Status (ECF No. 13) is **DENIED**.

Dated: August 2, 2016

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE